

THOMAS C. RETZLAFF - October 25, 2018

1 A Correct.

2 Q All right. Now, if you look above it, it  
3 looks like it was sent to a dean714@yandex.com. Did I  
4 read that correctly?

5 A Yes, you did.

6 Q Okay. Who is Dean? And it's signed Dean  
7 Anderson. Who is Dean Anderson, if you know?

8 A I can't answer that question.

9 Q And why can't you?

10 A Well, there is a order from the federal court  
11 in the SLAPP lawsuit that Van Dyke filed against me for  
12 \$100 million. There is a stay in that case ordered by  
13 the federal judge for any kind of discovery with  
14 regards to that.

15 Q Okay. I want to stop you right there. We are  
16 not in the federal court case and there is no stay in  
17 this case, and I am asking you the question of who Dean  
18 Anderson is. Are you going to refuse to answer that  
19 question even though we are not in a federal court?

20 A Yes. And I have several reasons why I --  
21 first off, that is --

22 Q Give me a reason other than federal court.

23 A Attorney-client privilege if myself and my  
24 attorney know who this person is based on our work  
25 product.

THOMAS C. RETZLAFF - October 25, 2018

1 Q Is your attorney Mr. Anderson's attorney?

2 A I don't know.

3 Q Are you his attorney?

4 A I'm not anybody's attorney.

5 Q Okay. So then you understand the  
6 attorney-client privilege wouldn't apply to you and  
7 Mr. Anderson?

8 A Well, if Mr. Dorrell and I have information on  
9 this and my information is based on that work product,  
10 I can't answer that.

11 Q I'm going to tell you that's not correct --

12 A Okay.

13 Q -- and not in accordance with the law  
14 regarding attorney-client privilege. So again, are you  
15 refusing to answer my question in regards to who Dean  
16 Anderson is?

17 A Well, when it comes to taking an advice from  
18 an attorney, I take the advice from the attorney that  
19 I'm paying for.

20 Q So are you telling me it's Mr. Dorrell's  
21 advice for you to refuse to answer the question of who  
22 Dean Anderson is?

23 A I'm not answering that question because of the  
24 stay ordered by the federal court and based on the fact  
25 that attorney work product privilege. In addition, I'm

THOMAS C. RETZLAFF - October 25, 2018

1 also going to claim a Fifth Amendment protection as  
2 well, because Van Dyke has accused me of being Dean  
3 Anderson, and he has accused me of committing crimes  
4 and saying that Dean Anderson and I are one in the same  
5 committing crimes against him. He is trying to  
6 conflate two separate individuals.

7 Q Let's move on. In P-3, did you receive that  
8 threat on March 28th, 2018? Did you receive that from  
9 Mr. Anderson?

10 A I don't see my e-mail header on this.

11 Q Correct. I received this e-mail from you on  
12 either Monday or Tuesday this week.

13 A Okay, then if you did, then yes.

14 Q Let's just move on to P-4.

15 A Okay.

16 Q Are you there?

17 A Yes, ma'am.

18 Q Okay. So let's start off at the -- it looks  
19 like it's from Dean to -- is that your e-mail,  
20 retzlaaff@texas.net?

21 A Yes, it is.

22 Q And the subject is, "Fwd: Die"?

23 A Yes.

24 Q And the date at the top is Tuesday,  
25 March 27th, 2018. Is that correct?

THOMAS C. RETZLAFF - October 25, 2018

1 A All right. I think I found it.

2 Q Okay. The highlighted portion begins with the  
3 word "Earlier." So just so we're on the correct  
4 document; is that correct?

5 A No, that's not what it says on 5 Charlie.

6 Q What does the highlighted portion begin with,  
7 sir?

8 A This stuff there. That's what I see under 5c.

9 Q No, sir. That was 5 bravo. I'm asking you  
10 about 5 Charlie. Can you --

11 A Oh, okay. All right. Go ahead. Yeah, just  
12 the way these tabs are stuck in there, it's got me --  
13 all right. Go ahead. What's your question?

14 Q It says here that you found out that I got a  
15 job as an assistant district attorney in Victoria  
16 County; is that accurate?

17 A Yes.

18 Q Where did you learn that information?

19 A I can't say that.

20 Q Why not?

21 A Because there is a discovery stay in the  
22 federal lawsuit, and I can't answer that question.

23 Q You understand that we're not here in the  
24 federal lawsuit today. This is a Bar disciplinary  
25 proceeding?

THOMAS C. RETZLAFF - October 25, 2018

1 A Not my problem. The federal judge is very  
2 specific. And in fact, I remember you crying like a  
3 bitch this morning about wanting to get a discovery  
4 conference call with the judge. How did that work out  
5 for you, Van Dyke?

6 MR. VAN DYKE: Objection, non --

7 THE WITNESS: Well, you -- you tried to call  
8 up the federal judge to ask him to give you a ruling on  
9 this thing. What happened when you called him?

10 MR. VAN DYKE: Objection, nonresponsive.

11 THE WITNESS: Yeah, yeah, because this is  
12 pretty fucking funny, right? Ha-ha. Giggle there, fat  
13 boy. You're the one who said this morning you were  
14 calling up the federal judge to get an opinion on  
15 whether or not we can talk about these things because  
16 of the court-ordered stay, the discovery stay. All  
17 right? You're fishing for stuff that you know you are  
18 not allowed to get. And what happened when you called  
19 the federal court this morning to ask? What did they  
20 tell you?

21 Q BY MR. VAN DYKE: Are you done?

22 A I'm waiting for your response.

23 MR. VAN DYKE: Object to the nonresponsive  
24 parts of Mr. Retzlaff's answer.

25 THE WITNESS: Well, I'm not going to violate a

THOMAS C. RETZLAFF - October 25, 2018

1 federal court order.

2 Q BY MR. VAN DYKE: How about you answer the  
3 question, and then you can file a motion for sanctions  
4 against me for violating the federal court's order?  
5 How about that, Mr. Retzlaff?

6 A Except I would be the one violating the court  
7 order, so no, I can't help you with that.

8 Q I will agree to your motion for sanctions.

9 A It doesn't matter, okay? It doesn't matter  
10 what you want to agree or disagree to. Okay? The  
11 federal judge was very clear in black and white, and  
12 the statute is very clear in black and white. You  
13 don't get to do discovery.

14 Q Are you refusing to answer my question about  
15 where you learned the information that you referenced  
16 in your grievance?

17 A Yes. And also, it's not relevant. It doesn't  
18 matter where I heard it from.

19 Q It says in this grievance you contacted Steve  
20 Tyler. When did you contact him?

21 A I don't recall exactly. I've had many, many  
22 communications with Steve. I don't recall.

23 Q How do you know Mr. Tyler?

24 A He was in the Army -- knock it off.

25 He was in Germany about the same time I was.

THOMAS C. RETZLAFF - October 25, 2018

1 personal life I'm not gonna give it to you. Violent  
2 Nazi motherfuckers who send death threats forfeit their  
3 right by wrongdoing to get my personal information or  
4 personal information about my family.

5 Q Is that your legal opinion?

6 A That's my personal opinion. I'll tell you  
7 what Jeff Dorrell had to say, but don't worry about it.

8 Q Would you agree with me that San Antonio is  
9 not located in Victoria County? Can we at least agree  
10 on that?

11 A Yes.

12 Q Okay. Would it be accurate to say that  
13 Victoria County is an approximately two-hour drive from  
14 San Antonio?

15 A No.

16 Q Do you know how long of a drive it is?

17 A Oh, I get there much quicker than that.

18 Q How long does it take you to get there,  
19 Mr. Retzlaff?

20 A It depends upon from where I am traveling  
21 from, but it depends. Anyways, what difference does it  
22 make?

23 Q Well, you don't really know Mr. Tyler  
24 personally, do you?

25 A I can't answer that question. That's -- you

THOMAS C. RETZLAFF - October 25, 2018

1 know, you are going into matters that -- that the  
2 federal court has put on hold.

3 Q Well, Mr. Retzlaff, you said that you know  
4 Mr. Tyler in your complaint against me. I'm just  
5 trying to inquire as to whether what you said in your  
6 complaint is true or not. So is that true or not true?  
7 Do you know Mr. Tyler personally?

8 A Well, that's two different questions, because  
9 the complaint doesn't say that. The State Bar  
10 complaint doesn't say that.

11 Q Okay. So you said, "So I contacted Steve  
12 Tyler, the District Attorney (who I know because I live  
13 in San Antonio)."

14 A Right.

15 Q And said, "Do not hire this dude - he is a  
16 fucking lunatic."

17 A And -- and -- and I stand by that answer. It  
18 says what it says.

19 Q So would you also stand by when you said  
20 that -- when you state in your grievance that you told  
21 him that I was a drug addict?

22 A That's not what I said.

23 Q Okay. So you didn't tell him I was a drug  
24 addict?

25 A That's not what it says. That's not what the

THOMAS C. RETZLAFF - October 25, 2018

1 A I don't know.

2 Q Did you give this letter to anybody?

3 A Oh, yeah. Shit, I shared it with everybody.

4 Q Who all did you share this letter with?

5 A Oh, Jesus, 20, 30 people at least. I'm not  
6 sure. News media. I gave one to Ken White. I gave  
7 him a copy, I remember that. A lot of people. A lot  
8 of people got this letter.

9 Q Isn't it true you published it to a Web site?

10 A I'm sorry, I can't help you with that.

11 Q I'm just asking you if it's true or not. Did  
12 you post it to a Web site or not?

13 A And again, I'm sorry, I can't help you with  
14 that question. We're stepping into areas where the  
15 federal court said we can't talk about.

16 MR. VAN DYKE: That's -- objection,  
17 nonresponsive.

18 Q BY MR. VAN DYKE: You are not going to tell me  
19 whether you published this on a Web site?

20 A You know, I think I might have put it on  
21 Facebook, but I'm not sure.

22 Q Oh, so you have a Facebook account?

23 A No, I didn't say that. I said I think it  
24 might have gone on Facebook, but I'm not sure.

25 Q Do you have a Facebook account?

THOMAS C. RETZLAFF - October 25, 2018

1 A I think it might have been on the -- the  
2 Popehat blog. But, you know, we're getting into areas  
3 that -- that -- that are involving the federal lawsuit.  
4 One of the things you said in the federal lawsuit, you  
5 accused me of -- of running some kind of blog or  
6 something like that, and I'm not going to answer any  
7 questions about that.

8 Q Let's -- let's get -- make it clear. Do you  
9 operate a blog commonly known as BV Files?

10 A And again, I'm not gonna answer that question.  
11 We have a federal court order that stays discovery on  
12 these matters. In addition, you and other people have  
13 accused me of crimes with regards to that blog, so I'm  
14 not going to answer that question.

15 Q What is the legal basis for your refusal to  
16 answer other than the federal court's order?

17 A I find your -- your question to be harassing  
18 and in violation of my Fifth Amendment rights. You --  
19 you want to sit here and -- and make claims that I've  
20 done these criminal things with regards to blogging, so  
21 any kind of question about blogging I'm not going to  
22 talk about.

23 Q Go to -- why don't you go then to Exhibit 9.

24 A All right.

25 Q Do you know what this is?

THOMAS C. RETZLAFF - October 25, 2018

1 Q Would it be accurate to say that this page  
2 references John Morgan?

3 A I don't -- I don't think so.

4 Q What's at the top of the page 6 that you are  
5 looking at, Mr. Retzlaff?

6 A You know, I am sorry. I'm gonna have to shut  
7 you down here. I'm really starting to feel harassed by  
8 these questions about John Morgan and -- and about  
9 Philip Klein. I'm being harassed by that. I'm not  
10 going to answer any more questions about those guys.

11 Q What about you? How about you go to page 7.

12 A Sorry, again, I'm -- I'm -- when it comes to  
13 this blog, I'm not answering any questions about it for  
14 the reasons I've already stated.

15 Q You're on page 7?

16 A Say again.

17 Q So that's not a picture of you on page 7 in  
18 the Court of Appeals for the Second District of Texas?  
19 Is that you?

20 A Oh. Yes, that's a photograph of me.

21 Q Okay. And then on page 9, do you know who  
22 those -- those people who are photographed at the top  
23 of page 9, do you know who they are?

24 A Again, I -- I can't help you with that.

25 You're starting to harass me with these questions.

THOMAS C. RETZLAFF - October 25, 2018

1     This is completely irrelevant stuff, and it's  
2     harassing, you know, and -- and we're talking about  
3     stuff that the federal judge has ordered stayed. And,  
4     you know, you're the one who -- you and McGibney and  
5     Klein and Morgan have accused me of various crimes  
6     involving this blog, and I'm not going to answer any  
7     questions on that, you know, for, you know, Fifth  
8     Amendment reasons, and as well as it's harassing and  
9     annoying.

10       Q     All right. What about page number 10?

11       A     It doesn't matter what page you go to, the  
12     response is the same.

13       Q     Oh, I don't want to hear your response,  
14     Mr. Retzlaff.

15       A     I've already given my response, and now I'm  
16     starting to feel harassed.

17       Q     So you are not gonna answer any questions  
18     about this exhibit; is that correct?

19       A     Correct. Anything to do with blogs I'm not  
20     going to answer any questions to for the reasons I've  
21     already stated.

22       Q     And that -- and is the legal basis for your  
23     objection your Fifth Amendment privilege against  
24     self-incrimination?

25       A     I'm sorry, dude, I've got nothing more for

THOMAS C. RETZLAFF - October 25, 2018

1 you. You're trying to violate a federal court order  
2 that says we can't talk about these things, and -- and  
3 that's all it is. And, you know, your question's  
4 harassing. And your -- and it also delves into Fifth  
5 Amendment stuff, too. So, you know, you're the one  
6 who --

7 Q But --

8 A You're the one -- listen, dude. You're the  
9 one who accused me of committing a crime with this  
10 blog. So when it comes to stuff like that, I'm not  
11 answering any questions.

12 Q All right. Well, fine. Why don't you go to  
13 Exhibit 10, then.

14 A We're gonna have to hurry up here because I'm  
15 going to have to go here in a little bit.

16 Q Well, you've been subpoenaed to be here today,  
17 Mr. Retzlaff.

18 A It doesn't matter.

19 Q Let's look at what's been marked as Exhibit  
20 10.

21 A Yeah, what about it?

22 Q Well, you state in that e-mail that you  
23 accessed State Bar records.

24 A I don't say that this is an e-mail. I don't  
25 know what this is.

THOMAS C. RETZLAFF - October 25, 2018

1 person? Because somebody uses the word D or A or  
2 simply that there's some kind of grand conspiracy, they  
3 are connected? What does that have to do with you  
4 going on Twitter calling people niggers and saying  
5 you're going to lynch them?

6 MR. VAN DYKE: Objection to the nonresponsive  
7 parts of the answer.

8 THE WITNESS: No, I'm objecting. That's my  
9 objection, okay. Your question is -- is harassing and  
10 it's irrelevant. All right?

11 I'm skipping ahead here, you know, to some of  
12 these e-mails. I'm not going to talk about No. 17.  
13 That's some stuff with that guy I guess you claimed you  
14 worked with. I don't know. That's not my e-mail. I  
15 can't authenticate that.

16 Q BY MR. VAN DYKE: All right. What about  
17 No. 18, Mr. Retzlaff? Are you going to talk about that  
18 one?

19 A **No. No, I'm not.**

20 Q What about No. 19?

21 A **Again, no.**

22 Q Well --

23 A **This is all stuff from your federal lawsuit**  
24 **against me, dude. I'm not talking about it. There's**  
25 **a -- there's a reason the federal judge said you are**

THOMAS C. RETZLAFF - October 25, 2018

1 not allowed to do discovery on this thing. You know,  
2 once the appeal gets out of the way, then -- then maybe  
3 we can talk. Except the only person getting grilled is  
4 going to be you.

5 Q Mr. Retzlaff, how often have you contacted my  
6 clients since this -- since this proceeding has been  
7 going on?

8 A I -- I'm not going to answer that question  
9 because I find that to be harassing and irrelevant.

10 Q Did you contact Gavin McInnes?

11 A Again, you know, we've got a federal stay on  
12 that, so, you know, what Mr. Dorrell has done or hasn't  
13 done, I can't talk about that. That's attorney-client  
14 privilege. You know, what his strategy is and what  
15 he's planning on doing and who he's going to do it to,  
16 that's work product and strategy, dude.

17 Q Are you going to answer any of my other  
18 questions today or are we just wasting our time?

19 A You're wasting everybody's time with -- you  
20 know you shouldn't be asking these questions, okay?  
21 This isn't a fishing expedition, okay, on stuff that  
22 you can't talk about.

23 Q Because I think what we're gonna -- we're  
24 gonna get to the bottom of is that you and Dean  
25 Anderson are one and the same person, is what we're

THOMAS C. RETZLAFF - October 25, 2018

1 going to get to today here, Mr. Retzlaff. So why don't  
2 you just come out --

3 A And how is --

4 Q -- and say you're the same person.

5 A Let's pretend for a moment that your bizarre  
6 conspiracy is true. How is that gonna help you with  
7 the State Bar? How is that gonna help you?

8 Q The fact that you've lied to them.

9 A Lied to them? You're the one who called me  
10 up, Jeff Dorrell up and said that you're gonna murder  
11 me. Okay? You sent e-mails. You filed a SLAPP  
12 lawsuit against me for \$100 million. Dude, your bar  
13 career is over with no matter what happens. Okay?  
14 You're never going to be a lawyer again, and nobody is  
15 ever going to hire you because of shit you did. And  
16 you're trying to blame me for it. You're the one who  
17 goes on Twitter calling people niggers and threatening  
18 to lynch them. Do you think you are going to get  
19 clients doing that crap?

20 You know, if I was the guy that owned Texas  
21 Title -- you know, just like Roseanne Barr got fired  
22 for shit she said on Twitter. What makes you so  
23 special, buddy? You think you get to keep your job and  
24 be an assistant DA but you get to be in a white  
25 supremacist group? No, you do not, and that's your

THOMAS C. RETZLAFF - October 25, 2018

1 fault. Okay?

2 Just like you breaking into your truck and  
3 staging a crime, committing a felony, dude, all right,  
4 you are going to jail. You know, I'm sitting here  
5 looking on my phone waiting on the e-mail for when they  
6 come busting in the door there and dragging your ass  
7 off.

8 Q I've got all day. I'm happy to --

9 A Well, I ain't got all day, because right now  
10 you're harassing me, and this is getting completely  
11 annoying and irrelevant, and you are fishing for stuff,  
12 you know, with regards to this federal lawsuit and this  
13 nonsense with the McGibney lawsuit, and -- and we're  
14 not going there. You stick to what's relevant, you  
15 know, unless you're going to say, geez, I never did  
16 call up Jeff Dorrell and threaten Tom Retzlaff, or if  
17 you're going to say, geez, I never did send those  
18 e-mails to Tom Retzlaff threatening him, then that's  
19 fine. What's your defense going to be, Jason, when  
20 you're before the grievance committee for the trial?

21 When -- when Kristin asked you, Mr. Van Dyke,  
22 did you call up Jeffrey Dorrell and say, yeah, yeah,  
23 yada, what are you going to say? You know, you can't  
24 beat the rap, dude. You know, you sent the e-mails,  
25 you sent the threats.

THOMAS C. RETZLAFF - October 25, 2018

1           And what about the crap you did to Ken White?  
2 You're gonna deny that, too? You know, you're gonna  
3 sit there -- when you're questioned under oath, what  
4 are you going to say, dude? You've got no defense.  
5 All right. You're looking for ticky-tacky shit to try  
6 to deflect, and -- and we're too smart for that, dude.

7           You know, Dean Anderson or the time zone that  
8 an e-mail was sent in or whether somebody uses a common  
9 English phrase or not or whether somebody posted a  
10 picture of Philip Klein on a blog, that's not gonna  
11 save you from what the State Bar is going to do. You  
12 know, the only thing that could have saved you would be  
13 apologizing, begging for forgiveness and promising  
14 never to do it again. But it's too late, dude. You  
15 had your chance.

16           Q      That's not going to happen.

17           A      No, of course not. Don't apologize. Don't  
18 apologize and walk in there with a defiant attitude  
19 that you always have. That's really winning. And I'll  
20 tell you something else, dumb-ass. I have never read  
21 The Turner Diaries or The Protocols for the Elders of  
22 Zion. But the Michigan police, when they busted into  
23 your dorm room and found guns and shit in there, they  
24 found the same book that Timothy McVeigh had and other  
25 antigovernment nuts. You know, you're a lunatic.

THOMAS C. RETZLAFF - October 25, 2018

1 Q You're not going to give me truthful answers  
2 to any of the rest of my questions today, are you?

3 A I haven't said anything that's not truthful,  
4 but there's going to be a lot of shit that I'm not  
5 going to be able to talk about, and you know it. You  
6 know that you're going into forbidden territory.

7 That's why you were crying to the federal judge this  
8 morning to try to get him to -- to give you  
9 instructions. And what did the federal judge said when  
10 you called his office? What did he say?

11 Q I'm the one asking you the questions.

12 A Come on, big guy, share it. What happened  
13 when you called the federal judge today? What  
14 happened? Come on, Jason, tell us what happened. Did  
15 the federal judge said it was okay for you to ask these  
16 questions, or did he tell you to go to fuck away? What  
17 did he say?

18 Q You know what, Mr. Retzlaff, I'm going to pass  
19 you, and you know why, because I think I -- I think I  
20 want to get your behavior in front of a whole committee  
21 when this goes to trial, and it's going to trial.

22 MR. VAN DYKE: Pass the witness.

23 MS. BRADY: Hold on. Okay. This is Kristin  
24 Brady again.

25 THE WITNESS: Hey.